

REMARKS

I. Introduction

With the addition of new claims 31 to 34, claims 1 to 34 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

II. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter included in claims 3 to 8. In this regard, the Examiner will note that each of claims 3 to 7 has been rewritten herein in independent form to include all of the features of its respective base claim, i.e., claim 1. As such, it is respectfully submitted that claims 3 to 7 are in condition for immediate allowance. Claim 8 depends from claim 7 and is therefore also in condition for immediate allowance.

III. Objection to the Drawings

As regards the objection to the drawings, the Examiner's attention is respectfully directed to, e.g., M.P.E.P. § 601.01(f), which plainly states that "[i]t has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is **not** necessary for an understanding of the invention under 35 U.S.C. § 113" (emphasis added). Furthermore, Figure 5 is discussed, e.g., on page 12, line 28 to page 16, line 26 of the Specification, and Figure 7 is described, e.g., on page 16, line 27 to page 21, line 4 of the Specification. In view of the foregoing, it is respectfully submitted that the drawings fully comply with the requirements of 37 C.F.R. § 1.83. Withdrawal of this objection is therefore respectfully requested.

IV. Rejection of Claims 1, 2, and 26 to 30 Under 35 U.S.C. § 102(b)

Claims 1, 2, and 26 to 30 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,442,712 ("Kawamura et al."). It is respectfully submitted that Kawamura et al. do not anticipate the present claims for at least the following reasons.

While Applicants do not necessarily agree with the merits of this rejection, to facilitate matters, claim 1 has been amended herein without prejudice to

recite that the method includes adjusting a bandpass filter as a function of a derivative of power of a signal with respect to frequency. The Office Action admits on page 4 that the references relied upon do not disclose use of a function of a derivative of a power of a signal to adjust a bandpass filter. As such, it is respectfully submitted that Kawamura et al. do not anticipate amended claim 1. Independent claims 26, 29 and 30 have been amended herein without prejudice in analogous manner and are therefore believed to be patentable over Kawamura et al. for at least the reasons more fully set forth above.

As for dependent claims 2, 27 and 28, it is respectfully submitted that Kawamura et al. do not anticipate these dependent claims for at least the reasons more fully set forth above.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 1, 2, and 25 to 30 Under 35 U.S.C. § 102(b)

Claims 1, 2, and 25 to 30 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,677,987 ("Seki et al."). It is respectfully submitted that Seki et al. do not anticipate the present claims for at least the following reasons.

While Applicants do not necessarily agree with the merits of this rejection, as indicated above and to facilitate matters, claim 1 has been amended herein without prejudice to recite that the method includes adjusting a bandpass filter as a function of a derivative of power of a signal with respect to frequency. The Office Action admits on page 4 that the references relied upon do not disclose use of a function of a derivative of a power of a signal to adjust a bandpass filter. As such, it is respectfully submitted that Seki et al. do not anticipate amended claim 1. Independent claims 26, 29 and 30 have been amended herein without prejudice in analogous manner and are therefore believed to be patentable over Seki et al. for at least the reasons more fully set forth above.

As for dependent claims 2, 25, 27 and 28, it is respectfully submitted that Seki et al. do not anticipate these dependent claims for at least the reasons more fully set forth above.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claims 1, 9, and 10 Under 35 U.S.C. § 102(b)

Claims 1, 9, and 10 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,125,187 ("Hanajima et al."). It is respectfully submitted that Hanajima et al. do not anticipate the present claims for at least the following reasons.

While Applicants do not necessarily agree with the merits of this rejection, as indicated above and to facilitate matters, claim 1 has been amended herein without prejudice to recite that the method includes adjusting a bandpass filter as a function of a derivative of power of a signal with respect to frequency. The Office Action admits on page 4 that the references relied upon do not disclose use of a function of a derivative of a power of a signal to adjust a bandpass filter. As such, it is respectfully submitted that Hanajima et al. do not anticipate amended claim 1.

As for dependent claims 9 and 10, it is respectfully submitted that Hanajima et al. do not anticipate these dependent claims for at least the reasons more fully set forth above.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Rejection of Claims 1 and 11 to 24 Under 35 U.S.C. § 102(b)

Claims 1 and 11 to 24 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,252,969 ("Ando"). It is respectfully submitted that Ando does not anticipate the present claims for at least the following reasons.

While Applicants do not necessarily agree with the merits of this rejection, as indicated above and to facilitate matters, claim 1 has been amended herein without prejudice to recite that the method includes adjusting a bandpass filter as a function of a derivative of power of a signal with respect to frequency. The Office Action admits on page 4 that the references relied upon do not disclose use of a function of a derivative of a power of a signal to adjust a bandpass filter. As such, it is respectfully submitted that Ando does not anticipate amended claim 1.

As for dependent claims 11 to 24, it is respectfully submitted that Ando does not anticipate these dependent claims for at least the reasons more fully set forth above.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

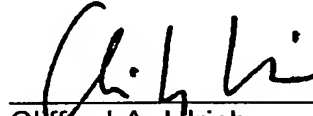
VIII. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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